

**PSYCHOLOGY EXAMINING BOARD
MINUTES
MADISON, WISCONSIN
FEBRUARY 27, 2002**

PRESENT: Don Crowder, Ph.D., James Fico, Ph.D., Mariellen Fischer, Ph.D.,
Barbara Van Horne, Ph.D., McArthur Weddle

EXCUSED: B. Ann Neviaser

STAFF PRESENT: Kimberly Nania, Bureau Director; John Schweitzer, Legal Counsel;
Roxanne Peterson; Division of Enforcement staff were present for
portions of the meeting.

GUESTS: Sarah Bowen, WPA

CALL TO ORDER

The meeting was called to order at 9:00 a. m. by Barbara Van Horne, Chair. A quorum of 5 members was present.

AGENDA

MOTION: Mariellen Fischer moved, seconded by Don Crowder, to approve the agenda as published. Motion carried unanimously.

MINUTES (1/23/02)

Corrections:

- a. Under "Administrative Report", 3rd paragraph, the last sentence should be revised to read: "support of increasing fees *with the condition that the fee increase would be returned to the Department to assist with board initiatives.*"
- b. Under "Oral Interviews", revise the motion to read: "Aisenberg, Psy.D., and Asenath A. LaRue, Ph.D."
- c. Under "Application Reviews", the last motion should be revised to read: "intended practice: *children*, competency..."

MOTION: James Fico moved, seconded by Don Crowder, to approve the minutes, as amended. Motion carried unanimously.

NEW DEPARTMENT PERSONNEL

The Board welcomed Lori Huntoon who was recently appointed as the Administrator for the Division of Professional Credentialing.

The Board also welcomed Gail Pizarro. Ms. Pizarro has been hired as an Exam Specialist in the Office of Examinations.

PRESENTATION OF PROPOSED STIPUATLIONS

Itzhak Matusiak, Ph.D., Milwaukee

Jack Zweig, Division of Enforcement, presented testimony in support of the Stipulation, Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Itzhak Matusiak.

Milton N. Silva, Ph.D., Milwaukee

Mike Berndt, Division of Enforcement, presented testimony in support of the Stipulation, Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Milton N. Silva.

The Board will deliberate on these Stipulations in Closed Session.

REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES AND PRESS RELEASES

Noted. These reports were informational.

SCOPE STATEMENT

The Board discussed the Scope Statement relating to minor changes to the existing rules to remove inconsistencies and correct oversights. The Board requested that the drafting of the rule be placed on the next agenda. The Chair requested that Board members review the current rules and provide suggestions revisions to John Schweitzer before the next Board meeting.

SUPERVISION FORMS

The Board discussed possible revisions to the supervision forms. Barb Van Horne and Mariellen Fischer will prepare a draft form incorporating suggestions from the Board members. The Board will review the draft at the next meeting.

SUPERVISION ALERT

The Board received a copy of the Supervision Alert regarding psychologists providing supervision required for Wisconsin licensure. The Board requested that this document be included in the next Regulatory Digest. The Board also requested that the WPA consider including this material in their association newsletter.

MULTIPLE LICENSES AND AREA OF INTENDED PRACTICE

The Board reviewed a copy of Mr. Zweig's February 5, 2001, memo regarding the previous Board's position that any person who has elected to apply for and be granted a LPPSP, must limit the person's practice activities to the PPSP.

Jack Zweig, Division of Enforcement, met with the Board to discuss the current Board's position regarding practice activities of a licensed private practice of school psychology (LPPSP).

The Board agreed that the practice of a licensee depends on how the licensee presents themselves to the public and signs evaluations. If a licensee has more than one license, i.e., LPPSP and PPSP, the licensee must be very clear which license the licensee is working under and which activities are allowed under the specific license.

BOARD PRIORITY PLANNING

This item was deferred to a future agenda.

CORRESPONDENCE

Alliant International University, Fresno CA

The Board discussed Alliant International University's inquiry regarding its program in forensic psychology and whether the curriculum requirements meet Wisconsin's curriculum licensure requirements for educational training at the doctoral level.

The Board requested that John Schweitzer send Alliant International University a copy of the relevant statute requirements and a letter of response advising that the University should follow the APA curriculum accreditation requirements and standards.

Demara Bennett, Psy.D., Rhinelander WI

The Board discussed correspondence relating to Demara Bennett and her request to expand her scope of practice.

The Board requested that Kimberly Nania, Ph.D., respond to Ms. Bennett that the Board has expanded her scope of practice to pediatric neuropsychology with developmental disorders (not acquired disorders).

Karen Bauman, Ph.D., Janesville WI

The Board requested that Kim Nania refer Karen Bauman's letter regarding Stephen Johnson's application for licensure as a professional counselor to the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors for action.

Valerie DeLain, Ph.D., Green Bay

The Board discussed correspondence received from Valeria DeLain regarding her "Continuing Education Approval Request Form" and the placement of the "course not approved" checkmark.

The Board requested that John Schweitzer respond to her correspondence advising that the Board is in agreement that the checkmark indicates "course not approved" and confirms that the program in question was not offered by one of the board-approved sponsors.

Linda Garrity, Ph.D., Madison WI

The Board discussed Linda Garrity's response to John Schweitzer's December 18, 2001, letter advising her that the Board determined that "the psychoanalytic focus of the conference she attended was too narrow to permit it to be considered as multiple programs for the purpose of the administrative rule prohibiting the granting of more than 20 hours for any specific program."

The Board discussed the definition of "program" as it relates to 20 hours of credits in the context of course, a convention or a workshop. Mariellen Fischer will prepare a draft definition of "program" for Board review at the next meeting. The definition will include clarification that a "program" equals 20 hours credits for any single continuing education event (including attached pre-convention workshops) and that a "program" may not count for any more than 20 hours no matter how diverse the program.

John Schweitzer will respond to Linda Garrity's February 1, 2002, inquiry.

Steven Kaplan, Ph.D., Appleton WI

The Board addressed Steven Kaplan's letter asking if the course "Law Day with Philip J. Resnick, M.D." fulfills the 6 hours ethics/jurisprudence continuing education requirement for 2001-2003.

The Board requested that John Schweitzer send a response advising that the course in question does not fulfill the 6 hour continuing education requirement.

B. Marco O'Brien, Licensed Psychologist, Milwaukee WI

The Board addressed Marco O'Brien's request for guidance and suggested directions in finding an updated intellectual assessment tool other than the use of EIWA, the Spanish version of the Wechsler intelligence test.

The Board requested that John Schweitzer send a response advising that, if Mr. O'Brien has not already done so, he may want to contact the APA or the UW-Madison or Milwaukee psychology departments to see what they recommend in regards to finding an adequate testing document.

RECESS TO CLOSED SESSION

MOTION: Mariellen Fischer moved, seconded by Don Crowder, to convene the meeting in Closed Session pursuant to Sections 19.85(1)(a), (b), (f), and (g), Wis. Stats., to consider the licensing or discipline of persons licensed by the Board or the investigation of charges against such a person. Specifically, to conduct oral interviews, review applications, review additional information from applicants, deliberate on a proposed stipulations, final decisions and orders, consideration of administrative warnings, review cases status report and consulting with legal counsel. Roll Call Vote: Don Crowder-yes; Mariellen Fischer-yes; McArthur Weddle-yes; Barbara Van Horne-yes. Motion carried unanimously.

Open Session recessed at 10:45 a.m.

CLOSED SESSION

The Board conducted oral interviews; reviewed applications; reviewed additional information from applicants; deliberated on Stipulations, Findings of Facts and Conclusions of Law; deliberated on administrative warnings; discussed the case status report with DOE staff; reviewed requests for an extension of time and approval of a supervisor; and consulted with legal counsel.

RECONVENE IN OPEN SESSION

MOTION: McArthur Weddle moved, seconded by James Fico, to reconvene in Open Session. Motion carried unanimously.

Open Session reconvened at 2:45 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

ORAL INTERVIEWS

MOTION: Don Crowder moved, seconded by McArthur Weddle, to grant licenses for the practice of psychology to Shelly L. Curran, Ph.D.; Bonita P. Klein-Tasman, Ph.D.; Douglas W. Woods, Ph.D.; Patrick J. Lacy, Ph.D.; and Raquel L. Reyes, Ph.D. Motion carried unanimously.

MOTION: McArthur Weddle moved, seconded by James Fico, to grant a license for the practice of psychology to Nicholas D. Kokonis, Ph.D. Motion carried unanimously, except that Don Crowder did not participate in discussion or voting.

NATURE OF INTENDED PRACTICE

Bonnie Klein-Tasman, Ph.D., Milwaukee

MOTION: Mariellen Fischer moved, seconded by Don Crowder, to approve Bonnie Klein-Tasman's intended practice. Motion carried unanimously.

Patrick J. Lacy, Ph.D., Wausau WI

MOTION: McArthur Weddle moved, seconded by James Fico, to approve Patrick Lacy's intended practice. Motion carried unanimously.

APPLICATION REVIEWS

MOTION: Mariellen Fischer moved, seconded by McArthur Weddle, to admit Allison Allen, Ph.D., to the ethics exam and personal appearance with a letter advising that she does not have sufficient supervision to support inclusion of the following services or populations in nature of intended practice: teaching. Motion carried unanimously.

MOTION: Don Crowder moved, seconded by McArthur Weddle, to admit Christie L. Felix, Ph.D., to the ethics exam and personal appearance with a letter advising that she does not have sufficient supervision to support inclusion of the following services or populations in nature of intended practice: Supervision. In addition, John Schweitzer will send a letter to Ms. Felix asking for an explanation of the apparent use of title as the information on the vita is not consistent with information in the application Motion carried unanimously.

MOTION: Mariellen Fischer moved, seconded by James Fico, to admit Leanne D. Kirsch, Ph.D., to the ethics exam and personal appearance with a letter advising that she does not have sufficient supervision to support inclusion of the following services or populations in nature of intended practice: Academic Teaching or forensics. Motion carried unanimously.

MOTION: Mariellen Fischer moved, seconded by Don Crowder, to admit Shoshana Hellman, Ph.D., to the ethics exam with a letter advising that she does not have sufficient supervision to support inclusion of the following services or populations in nature of intended practice: Industrial/organization psychology and Children. In addition, John Schweitzer will send a letter to Ms. Hellman requesting a copy of the psychology licensing requirements of Israel; an explanation of why the transcript does not state the degree; and, a copy of the master's degree transcript. Motion carried unanimously.

MOTION: Don Crowder moved, seconded by McArthur Weddle, to admit Caroline L. Nelson, PsyD.Lp., to the ethics exam and personal appearance. Motion carried unanimously.

MOTION: Mariellen Fischer moved, seconded by Don Crowder, that John Schweitzer send a letter to Jeremy D. Meyers, Ed.D., requesting that Mr. Meyers submit an entire, complete application including the "Nature of Intended Practice of Psychology" form. Motion carried unanimously.

STIPULATIONS

Itzhak Matusiak, Ph.D., Milwaukee WI

MOTION: McArthur Weddle moved, seconded by Mariellen Fischer, to accept the Stipulation, Findings of Fact, Conclusions of Law and Order. Motion carried unanimously.

Milton Silva, Ph.D., Milwaukee WI

MOTION: McArthur Weddle moved, seconded by James Fico, to accept the Stipulation, Findings of Fact, Conclusions of Law and Order. Motion carried unanimously.

ADMINISTRATIVE WARNINGS

MOTION: Mariellen Fischer moved, seconded by Don Crowder, to accept the following administrative warnings presented by the Division of Enforcement. Motion carried unanimously.

01 PSY 042	Marilyn S. Befera, Ph.D.
01 PSY 043	Barbara M. Bornstein, Ph.D.
01 PSY 044	Kelley A. Conrad, Ph.D.
01 PSY 045	Darlene J. Mech, Ph.D.
01 PSY 046	Kalpana Rao, Ph.D.
02 PSY 002	Valerie A. DeLain, Ph.D.
02 PSY 006	David W. Fisher, Ph.D.
02 PSY 008	Joel T. G. Kirchner, Psy.D.

DELIBERATION OF COSTS AND OBJECTIVES

Steven Stein, Ph.D., Madison WI

MOTION: McArthur Weddle moved, seconded by James Fico, that Steven Stein pay a total of \$25,013.94 in costs and objectives; and, that John Schweitzer prepare the Order. Motion carried unanimously.

MONITORING ISSUES

Gerald J. DeLove, Ph.D., Eau Claire WI

MOTION: James Fico moved, seconded by McArthur Weddle, to grant Gerald DeLove's request for an extension of time to complete the ethics requirements of the Stipulation and Order to April 18, 2002; and, to approve the course "Ethics in 2002: Balancing Ethics and the Law for Effective Practice". Motion carried unanimously.

Gary Michael Major, Ph.D.,

MOTION: Mariellen Fischer moved, seconded by James Fico, to grant Dr. Gary Michael Major's request that Dr. Raymond Lueck be approved as his supervisor; that Dr. Major clarify to the Board what he has been doing about supervision prior to this request; and, that Dr. Major explain what Dr. Raymond Lueck was told regarding the Board's expectations for providing him supervision. Motion carried unanimously.

MOTION: Don Crowder moved, seconded by Mariellen Fischer, to deny Dr. Gary Michael Major's request and not approve the following courses as partial fulfillment for education relating to "patient relationship boundaries": (a) Maintaining Professional Boundaries and Ethics in the Aftermath of September 11th; and, (b) Legal and Ethical Issues in Counseling, Social Work and Mental Health. Motion carried unanimously.

DIVISION OF ENFORCEMENT – CASE STATUS REPORT

MOTION: McArthur Weddle moved, seconded by Mariellen Fischer, to close 01 PSY 022 for no violation. Motion carried unanimously.

MOTION: Mariellen Fischer moved, seconded by Don Crowder, to close 02 PSY 004 for compliance gained. Motion carried unanimously.

CONSULTING WITH LEGAL COUNSEL

John Schweitzer distributed a copy of a letter from Thomas Heyer, Psy.D., Albany GA, requesting removal of the limitation on his license. Mr. Schweitzer advised that he responded to Mr. Heyer that before the Board would consider granting an unrestricted license, that the Board would want some assurance other than the passage of time and the granting of the unrestricted Georgia license that Mr. Heyer can practice safely with the populations that were the basis for the limitations. Mr. Schweitzer encouraged Mr. Heyer to submit additional information.

RETURN TO OPEN SESSION AGENDA ITEMS

DIVISION OF ENFORCEMENT COMPLAINT HANDLING PROCESS

The Board noted a copy of a document outlining the steps involved in the Division of Enforcement complaint handling process, from the Intake Stage to the Hearing Stage.

Barb Van Horne will edit this document so that an article can be included in the next Regulatory Digest.

PRESCRIPTION PRIVILEGES

The Board noted a February 9, 2002, New Mexico Psychological Association article entitled “Prescription Privilege Based on Proven Model”.

DISCUSSION OF BOARD’S MISSION AND FUNCTIONS

This item was deferred to the next Board meeting. Barb Van Horne requested that Board members complete the “Wisconsin Psychology Licensing Board Mission and Functions” form and submit it to her prior to the next Board meeting.

CONTINUING EDUCATION AUDIT

Lydia Bridge, Office of Examinations, presented the Board with files to review for non-compliance of the continuing education requirements. Barb Van Horne and Mariellen Fischer reviewed the files and referred those in non-compliance to Jan Johnson, Division of Enforcement, for processing. At a previous meeting, the Board agreed that responses to the audit letter that are received after the extended deadline are late and this information should be referred to Jan Johnson, Division of Enforcement, for processing with the possibility of issuing an administrative warning.

ASPPB

Nothing to report.

EPPP ADMINISTRATIONS

Nothing to report.

REGULATORY DIGEST ARTICLES

Throughout the meeting, the Board identified specific articles it would like included in the next regulatory digest.

REVIEW OF CORRESPONDENCE AND PHONE INQUIRES BY LEGAL COUNSEL

The Board reviewed correspondence and inquiries received by John Schweitzer. Legal Counsel will reply as directed by the Board.

PSYCHOTROPIC DRUGS

The Board noted a February 21, 2002, press release from Representative Steve Nass entitled: "Psychotropic Drug Bill Passes Committee".

PUBLIC COMMENTS

Sarah Bowen, WPA, met with the Board to discuss legislative initiatives and the WPA Convention.

Ms. Bowen advised that she will need to know, at the next Board meeting, whether the Board would like to participate in the Convention on April 11-13, 2002, with a presentation or a display table. She explained that the Association will be having a Hospitality Room with "table topics" at the lunches and asked if the Board would like to participate in this.

ADJOURNMENT

MOTION: James Fico moved, seconded by Don Crowder, to adjourn the meeting.
Motion carried unanimously.

Meeting adjourned at 4:15 p.m.